

REMARKS

In a notice of non-compliant amendment mailed October 17, 2007, it was noted that Applicant's amendment submitted August 3, 2007 was non-compliant because one of the claims was dependent on a withdrawn claim. In particular, claim 40 was dependent on claim 26. Applicant has corrected the problem and resubmitted the amendments, including a correct new claim 40. Applicant also resubmits the previously submitted remarks below.

In an Office Action dated April 3, 2007, objections were made to claim 27 and 35. Claims 27 and 28 were also rejected under 35 U.S.C. 112 second paragraph as being indefinite. Appropriate corrections have been made to make the claims definite and to overcome the objections.

Claim 35 and 38 were held to be allowable if rewritten to overcome the indefinite rejection and also to include the limitation of any intervening claims. In response, Applicant has rewritten claim 35 to approximately include, in a clearer way, the limitations of any intervening claims and to approximately encompass claims 35 and 38.

In the Office Action, claim 27 was rejected as anticipated by Choi, US Patent 6,689,502 as well as Potter US Pub 2004/0115507. In response, Applicant has amended claim 27 to claim that "the anode and the cathode also on the first side of the electrolyte and configured to cause ions to conduct between the anode on the first side of the electrolyte and the cathode on the first side of the electrolyte". Applicant respectfully submits that the prior art references do not disclose the described limitation.

In particular, Applicant respectfully submits that Choi does not show conduction of ions between an anode and a cathode on the same side of the electrolyte. Although Choi shows an array of fuel cells with anodes and cathodes on the same side of an electrolyte, the conduction of ions between each anode and cathode pair occurs between oppositely placed anodes and cathodes (thus the ions flow from between a cathode on one side and an anode on an opposite side of the electrolyte).

Likewise, Applicant respectfully submits that Potter does not show the claimed design. Potter shows an electrolyte formed as a bar 225. In Figure 2, the electrolyte

bar is surrounded on a left side by a cathode (supported by a cathode current collector line 210), on a top side by a channel separator 230, on a right side by an anode (sitting on top of an anode current collector line 216) and on the bottom by a substrate 205. Thus Potter also does not show the claimed structure.

Applicant's design offers several advantages over Potter as emphasized by new dependent 40-42. In particular, Applicant's design is easier to form using a single electrolyte layer. The design allows elimination of substrate 205 in Potter and allows multiple fuel cells to be formed across a single continuous electrolyte.

The undersigned Xerox Corporation attorney (or agent) hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

In the event that the Examiner believes a teleconference would facilitate prosecution, Applicant respectfully requests that Examiner contact the undersigned AT (714) 565-1158.

Respectfully submitted,

/Kent M. Chen, Reg. #39,630/
Kent M. Chen